

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

<b>RITA HAIRSTON DALTON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil No. 3:07CV469-DCK</b>
	)	
<b>MICHAEL J. ASTRUE,</b>	)	
<b>Commissioner of Social Security,</b>	)	
<b>Defendant.</b>	)	

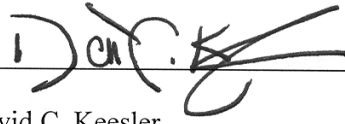
**ORDER**

The Defendant, Michael Astrue, Commissioner of Social Security, has moved this Court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment reversing his decision with a remand of the cause for further administrative proceedings.

On remand, the Commissioner will assign this matter to an Administrative Law Judge (“ALJ”) who will reassess Plaintiff’s credibility for the period prior to March 6, 2007. The ALJ will give further consideration to the accuracy of Dr. Clinard’s statement regarding Plaintiff’s activities and, if necessary, will seek clarification from Dr. Clinard. The ALJ will also give further consideration to the medical source opinion evidence, reassess Plaintiff’s residual functional capacity, and issue a new decision for the period prior to March 6, 2007.

Pursuant to the power of this Court to enter a judgment reversing the Commissioner’s decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), this Court hereby REVERSES the Commissioner’s decision under sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further proceedings. *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

Signed: April 24, 2008

A handwritten signature in black ink, appearing to read "D.C. Keesler", written over a horizontal line.

David C. Keesler  
United States Magistrate Judge

